

# FEDERAL REGISTER

THE NATIONAL ARCHIVES  
OF THE UNITED STATES  
1934

VOLUME 18      NUMBER 86

Washington, Tuesday, May 5, 1953

## TITLE 3—THE PRESIDENT EXECUTIVE ORDER 10452

**PROVIDING FOR THE PERFORMANCE BY THE CHAIRMAN OF THE CIVIL SERVICE COMMISSION OF CERTAIN FUNCTIONS RELATING TO PERSONNEL MANAGEMENT**

By virtue of the authority vested in me by the laws of the United States, including section 1753 of the Revised Statutes (5 U. S. C. 631) and the Civil Service Act of January 16, 1883 (22 Stat. 403) and as President of the United States, it is hereby ordered as follows:

SECTION 1. The Chairman of the United States Civil Service Commission shall, in addition to the functions conferred upon him by statute and by Reorganization Plan No. 5 of 1949, perform the following-described functions with respect to Federal civilian personnel employed in the United States and abroad:

(a) Assist the President in the execution of his duties with respect to personnel management, and advise and assist the President concerning personnel-management actions to be taken by or under the direction of the President, exclusive of actions with respect to Presidential appointments.

(b) Assist the President in the formulation and execution of his civilian personnel-management program, the establishment of policies and standards for the guidance of the executive departments and agencies, and the evaluation of departmental and agency personnel-management programs and operations under such policies and standards.

(c) Undertake on behalf of the President, and in collaboration with the Bureau of the Budget, a program designed to raise the level of effectiveness of personnel management in the executive departments and agencies, to improve steadily all civilian personnel-management systems, and to bring about the proper coordination in personnel management among the executive departments and agencies.

SEC. 2. The Chairman of the Civil Service Commission shall perform his functions under this order with the assistance of such personnel of the White House Office as may be provided for that purpose and with such assistance of per-

sonnel of the Civil Service Commission as may be appropriate.

SEC. 3. There are hereby revoked (1) section 4 of Part II of Executive Order No. 8248 of September 8, 1939, defining the functions of the Liaison Office for Personnel Management, and (2) to the extent that they relate to the Liaison Office for Personnel Management, Parts I, III, IV, and VI of that order. The said Liaison Office for Personnel Management is hereby abolished, and the White House Office shall take such measures as may be necessary to wind up the affairs of the abolished office.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,  
May 1, 1953.

[F. R. Doc. 53-3976; Filed, May 4, 1953;  
10:07 a. m.]

## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

**PART 27—EXCLUSION FROM PROVISIONS OF THE FEDERAL EMPLOYEES PAY ACT OF 1945, AS AMENDED, AND THE CLASSIFICATION ACT OF 1949, AS AMENDED, AND ESTABLISHMENTS OF MAXIMUM STIPENDS FOR POSITIONS IN GOVERNMENT HOSPITALS FILLED BY STUDENT OR RESIDENT TRAINEES**

#### CHAPLAIN POSITIONS

1. Effective May 1, 1953, the items under § 27.1 for chaplain intern at Freedmen's Hospital, chaplain student intern at St. Elizabeths Hospital, chaplain intern at St. Elizabeths Hospital, and chaplain resident at St. Elizabeths Hospital are revoked, and the new items for chaplain provisions are added to § 27.1 as follows:

§ 27.1 *Exclusion from provisions of Federal Employees Pay Act and the Classification Act.* \* \* \*

Chaplain intern, first year of approved clinical training following completion of three or more years of approved postgraduate theological training.

Chaplain resident, second year of approved clinical training following completion of four or more years of approved postgraduate theological training.

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Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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## Principal Officials in the Executive Branch Appointed January 20–April 20, 1953

A listing of approximately 200 appointments made after January 20, 1953. Names contained in the list replace corresponding names appearing in the 1952–53 U. S. Government Organization Manual

Price 10 cents

Order from Superintendent of Documents,  
Government Printing Office, Washington  
25, D. C.

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Chaplain student intern, approved training during second year of approved postgraduate theological training.

2. Effective May 1, 1953, the maximum stipends prescribed under § 27.2 for positions of chaplain intern at Freedmen's Hospital during the second and fourth year of approved postgraduate training, and for chaplain student intern at St. Elizabeths Hospital, chaplain intern at St. Elizabeths Hospital, and chaplain resident at St. Elizabeths Hospital are revoked, and maximum stipends are prescribed for chaplain positions as follows:

§ 27.2 *Maximum stipends prescribed.*  
\* \* \*

Chaplain intern—First year of approved clinical training following completion of three or more years of approved postgraduate theological training: \$2,600.

Chaplain resident—Second year of approved clinical training following completion of four or more years of approved postgraduate theological training: \$2,800.

Chaplain student intern—Approved training during second year of approved postgraduate theological training, per month: \$183.

(61 Stat. 727; 5 U. S. C. 1051-1053)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] C. L. EDWARDS,  
Executive Director

[F. R. Doc. 53-3912; Filed, May 4, 1953;  
8:52 a. m.]

## TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Export and Diversion Programs

PART 539—NUTS

SUBPART A—TERMS AND CONDITIONS OF WALNUT DIVERSION PROGRAM, TMD 378 (FISCAL YEAR 1953)

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AUTHORITY: §§ 539.301 to 539.318 issued under sec. 32, 49 Stat. 774, as amended; 7 U. S. C. 612c.

§ 539.301 *General statement.* (a) In order to encourage the diversion of walnuts from the normal channels of trade, the Secretary of Agriculture, pursuant to the authority conferred by section 32 of Public Law 320, 74th Congress, as amended, offers to make payments to growers, packers, or shellers of walnuts in the States of California, Oregon, or Washington subject to the terms and conditions set forth in this subpart.

(b) Information relative to this offer and forms prescribed for use under this subpart may be obtained from the following:

M. T. Coogan, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, 117 West Ninth Street, Los Angeles 15, Calif.

Werner Allmendinger, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, 335 Fell Street, San Francisco 2, Calif.

W. J. Broadhead, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, 515 Southwest Tenth Avenue, Portland 5, Ore.

E. M. Graham, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Fourteenth and Independence Avenue SW., Washington 25, D. C.

§ 539.302 *Participation.*—(a) *Eligibility.* Any grower, packer, or sheller of walnuts located in California, Oregon, or Washington, is eligible to participate in the program.

(b) *Application.* Application to participate in this program must be received in quadruplicate on Form FV-365<sup>1</sup> by the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than the final date shown in § 539.318. The Director will promptly thereafter notify applicants of the approval or disapproval of their applications.

(c) *Allocation among participants of quantity authorized for diversion.* Each applicant shall state in his application for participation the maximum quantity of walnuts, in terms of eligible kernel weight, which he desires to divert. In the event the total quantity stated by all applicants in their applications exceeds the maximum quantity authorized to be diverted pursuant to those terms and conditions, the Director, in approving applications, may allocate to each participant such lesser maximum quantity as he determines will represent such par-

ticipant's equitable share of the total quantity to be diverted. Each participant shall not divert more than 65 percent of his allocated quantity prior to June 16, 1953. The Director shall notify each participant prior to June 16, 1953, as to what portion, if any, of the remaining 35 percent of his allocated quantity may be diverted.

§ 539.303 *Basis and rate of payment.* Payments on walnuts diverted shall be made on the basis of eligible kernel weight, for which the rate of payment shall be 32 cents per pound.

§ 539.304 *Inspection.*—(a) *Inspection certificate.* Participants shall obtain an inspection certificate of the Federal or Federal-State Inspection Service for each lot diverted, showing:

(1) The date, place of inspection, and name and address of participant;

(2) Name and address of diverter;

(3) Number and types of containers and net weight of walnuts in lot;

(4) Statement as to whether lot is in-shell, shelled, or partly shelled;

(5) Lot number or other identification of lot, and if applicable, car number or truck license number and State of registration;

(6) The percentage (nearest whole number) of eligible kernels based on net weight of walnuts in sample.

(b) *Sampling; weight; size of lots.* Walnuts tendered for diversion shall be inspected on a sample basis as determined by the Inspection Service. Sampling shall not be performed earlier than the date on which applicant applies for participation on Form FV-365 and shall be done at the diversion plant unless otherwise authorized by the Director. The determination of the net weight of walnuts in lots tendered for inspection under this program shall be by scale weight, sample weight, or by such other method as may be required by the Inspection Service. The Inspection Service shall have the right to limit the size of lots inspected so that in the inspector's opinion each lot will be satisfactory for inspection purposes in regard to uniformity, condition, type of containers, and quantity in the lot.

(c) *Inspector's certification of diversion.* Participant shall obtain a certification by a Federal or Federal-State inspector stationed at the diversion plant while the walnuts are being utilized in the manufacture of oil, that he observed such utilization of walnuts. Such certification shall be obtained on "Certificate of Diversion," Form FV-366.<sup>1</sup>

(d) *Cost of inspection services.* The cost of all inspection services shall be at participant's expense including sampling and labor in obtaining samples, making necessary weighings, service of inspector at the diversion plant to observe actual diversion of the walnuts, checkloading when applicable, and other necessary inspection costs as determined by the Inspection Service. The participant shall furnish, free of cost, samples for inspection as required by the Inspection Service. The Inspection Service will make available to participant, within a reasonable time after inspection has been completed, such portion of the inspection samples as it

<sup>1</sup> Filed as part of the original document.

determines are no longer needed or in excess of inspection needs.

§ 539.305 *Forms in which walnuts may be diverted.* Walnuts may be diverted inshell, shelled, or partly shelled. "Partly shelled" refers to lots in which the walnuts have been cracked and from which part of the kernels and shells may have been removed.

§ 539.306 *Definition of eligible kernels, and method of determining eligible kernel weight.* "Eligible kernels" means whole walnut kernels or portions thereof which meet the following requirements: U. S. No. 3 grade as defined in the U. S. Standards for shelled English walnuts effective September 30, 1939: *Provided*, That in inspecting a sample, areas of kernels which are darker in color than dark amber, or affected by mold, insects, decay, rancidity or shriveling shall be broken off, and segregated. In the case of inshell lots, kernels are generally broken in the process of cracking the sample; therefore, portions of kernels which will pass through a rectangular opening  $\frac{3}{16}$  inch by  $\frac{1}{4}$  inch shall not be excluded from eligible kernels except for areas which are defective. The kernels and portions thereof which meet the above stated requirements shall be segregated, weighed, and their weight considered as eligible kernel weight in the sample. No tolerance for defects in eligible kernels shall be allowed.

§ 539.307 *Minimum quality.* Lots of walnuts for diversion under this program shall contain at least 20 percent by weight of eligible kernels.

§ 539.308 *Claims for payment supported by evidence of compliance.* (a) Participant shall file claims with Director, PMA Commodity Office, U. S. Department of Agriculture, Eastern Building, 515 Southwest Tenth Avenue, Portland 5, Oregon, on or before the date specified in § 539.318. Each claim for payment shall be filed in an original and three copies on Form FDA-564, "Public Voucher—Diversion Program," and shall show the number assigned to the approved application, and shall be supported by:

(1) The original or a signed copy and one other copy of the inspection certificate(s) and

(2) The original and one copy of "Certificate of Diversion" on Form FV-366 signed by the diverter or his authorized representative, identifying each lot of walnuts received for diversion, and showing date received, whether in shell, partly shelled, or shelled, number and type of containers, net weight, inspection certificate number, and for all of the lots included in claim for payment the date on which diversion was completed. The statement of inspector must also be completed and signed by a Federal or Federal-State inspector in the space provided on Form FV-366.

§ 539.309 *Records and accounts.* The participant shall maintain adequate records showing sales and deliveries of walnuts for diversion. Participant's records, accounts, and other documents relating to the sale of walnuts for di-

version pursuant to these terms and conditions shall be available during regular business hours for inspection and audit by authorized employees of the United States Department of Agriculture, and shall be preserved until October 1, 1955.

§ 539.310 *Diverter's agreement.* Before any walnuts are diverted under this program, each participant shall obtain and mail to the Director a diverter's agreement on Form FV-367,<sup>1</sup> signed by the authorized representative of the diversion plant agreeing that he will:

(a) Keep walnuts received for diversion from each participant separate and apart from any other walnuts;

(b) Keep records relating to the walnuts diverted, i.e., utilized in the manufacture of oil, showing, for each lot received from participant, date of receipt, net weight, and whether in shell, shelled, or partly shelled;

(c) Make such records available during regular business hours for inspection and audit by authorized employees of the United States Department of Agriculture;

(d) Preserve such records until October 1, 1955,

(e) Make the diversion plant and its facilities available for inspection and observation of diversion operations by Federal or Federal-State inspectors during the period of the aforesaid program, and

(f) Execute and furnish the above named participant with certificate(s) of diversion on Form FV-366.

§ 539.311 *Amendment and termination.* This program may be amended or terminated by the Secretary at any time by public announcement. No amendment or termination shall be applicable to any walnuts sold for diversion before the effective date of such amendment or termination.

§ 539.312 *Persons not eligible for payment.* No member of or delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of any contract resulting from this program or to any benefits that may arise therefrom, but this provision shall not be considered to extend to such a contract if made with a corporation for its general benefit, or to any such person acting in his capacity as a walnut grower.

§ 539.313 *Set off.* The Secretary may set off against any amount owed to any participant under this subpart, any amount owed by such participant to Commodity Credit Corporation, the United States Department of Agriculture, or any other agency of the United States.

§ 539.314 *Joint payment or assignment.* A participant may name a joint payee on claim for payment or may assign the proceeds of any claim for payment as provided in this subpart. The participant may assign, in accordance with the provisions of the Assignment of Claims Act of 1940, Public Law No. 811, 76th Congress, as amended by Public Law No. 30, 82nd Congress, the proceeds

<sup>1</sup> Filed as part of the original document.

of any claim to a bank, trust company, Federal Lending Agency, or other recognized financing institution: *Provided*, That such assignment shall be recognized only if and when the assignee thereof files written notice of assignment with the Director, together with a signed copy of the instrument of assignment, in accordance with the instructions of Form PMA-66, "Notice of Assignment," which form must be used in giving notice of assignment to the Director. The "Instrument of Assignment" may be executed on Form PMA-347 or the assignee may use his own form of assignment.

§ 539.315 *Good faith.* If the Secretary determines that any participant has not acted in good faith in connection with any transaction under this program or has failed to discharge fully any obligation assumed by him under this subpart, such participant may be denied the right to continue participating in this program or the right to receive payment under this subpart in connection with any diversions previously made under this program, or both.

§ 539.316 *Definitions.* As used in this subpart, the following terms have the following meanings:

(a) "Secretary" means the Secretary of the United States Department of Agriculture, or any authorized representative of the Secretary.

(b) "Director" means the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture;

(c) "Participant" means any grower, packer, or sheller of walnuts located in California, Oregon, or Washington whose application to divert under this program has been approved by the Director.

(d) "Walnuts" means English walnuts grown in California, Oregon, or Washington;

(e) "Diversion" means the utilization of walnuts in the manufacture of oil;

(f) "Diverter" means the person who utilizes the walnuts in the manufacture of oil.

§ 539.317 *Period of diversion.* Walnuts shall not be diverted under this program prior to the date on which the applicant applies for participation on Form FV-365, nor later than the final date specified in § 539.318. Any applicant who diverts walnuts prior to approval of his application by the Director shall assume the risk that the quantity diverted may be in excess of the quantity if any, which may be allocated to him for diversion prior to June 16, 1953.

§ 539.318 *Final dates.* The final date for receipt of an application by the Director shall be May 11, 1953. The final date for diversion of walnuts under this program shall be September 30, 1953. The final date for filing claims for payment under the program shall be October 31, 1953.

NOTE: The record keeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 29th day of April 1953.

[SEAL] S. R. SMITH,  
Director Fruit and Vegetable  
Branch, Authorized Repre-  
sentative of the Secretary.

[F. R. Doc. 53-3901; Filed, May 4, 1953;  
8:49 a. m.]

## TITLE 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Bureau of Animal Indus- try, Department of Agriculture

#### Subchapter C—Interstate Transportation of Animals and Poultry

[B. A. I. Order 383, Amdt. 17]

#### PART 76—HOG CHOLERA, SWINE PLAGUE, AND OTHER COMMUNICABLE SWINE DISEASES

##### CHANGES IN AREAS QUARANTINED BECAUSE OF VESICULAR EXANTHEMA

Pursuant to the authority conferred by sections 1 and 3 of the act of March 3, 1905, as amended (21 U. S. C. 123 and 125) sections 1 and 2 of the act of February 2, 1903, as amended (21 U. S. C. 111 and 120) and section 7 of the act of May 29, 1884, as amended (21 U. S. C. 117) § 76.26 in Part 76 of Title 9, Code of Federal Regulations, containing a notice of the existence in certain areas of the swine disease known as vesicular exanthema and establishing a quarantine because of such disease, is hereby amended to read as follows:

§ 76.26 *Notice and quarantine.* (a) Notice is hereby given that the contagious, infectious and communicable disease of swine known as vesicular exanthema exists in the following areas:

The State of California;  
Hartford, Litchfield, Middlesex and New Haven Counties, in Connecticut;  
Androscoggin, Cumberland, Kennebec, Somerset, and York Counties, in Maine;  
Bristol, Essex, Hampden, Middlesex, Norfolk, Plymouth and Worcester Counties, in Massachusetts;  
Oakland and Wayne Counties, in Michigan;  
Jefferson County, in Missouri;  
Clark County, in Nevada;  
Bergen, Burlington, Camden, Cape May, Gloucester, Hudson, Hunterdon, Middlesex, Morris and Ocean Counties, in New Jersey;  
Clarkstown Township, in Rockland County, in New York;  
Section 5, Springfield Township, in Lucas County, and Section 6, Loudon Township, in Seneca County, in Ohio;  
Council Grove, Mustang, Oklahoma and Greeley Townships, in Oklahoma County, in Oklahoma;  
Bucks, Butler, Delaware, Lehigh and York Counties, in Pennsylvania;  
Bristol, Kent and Providence Counties, in Rhode Island;  
Atascosa, Bexar and Dallas Counties, in Texas;  
Pierce and Whatcom Counties, in Washington.

(b) The Secretary of Agriculture, having determined that swine in the States named in paragraph (a) of this section are affected with the contagious, infectious and communicable disease known

as vesicular exanthema and that it is necessary to quarantine the areas specified in paragraph (a) of this section and the following additional areas in such States in order to prevent the spread of said disease from such States, hereby quarantines the areas specified in paragraph (a) of this section and in addition:

Essex and Union Counties, in New Jersey;  
Montgomery County, in Pennsylvania.

*Effective date.* This amendment shall become effective upon issuance. It includes within the areas in which vesicular exanthema has been found to exist, and in which a quarantine has been established:

Wayne County, in Michigan;  
Section 5, Springfield Township, in Lucas County, and Section 6, Loudon Township, in Seneca County, in Ohio.

Hereafter, all of the restrictions of the quarantine and regulations in 9 CFR Part 76, Subpart B, as amended (17 F. R. 10538, as amended) apply with respect to shipments of swine and carcasses, parts and offal of swine from these areas.

This amendment excludes from the areas in which vesicular exanthema has been found to exist, and in which a quarantine has been established:

Escambia County, in Florida;  
City of Baltimore, in Maryland;  
Macomb County, in Michigan;  
Pulaski County, in Missouri;  
Washington County, in Rhode Island.

Hereafter, none of the restrictions of the quarantine and regulations in 9 CFR Part 76, Subpart B, as amended, (17 F. R. 10538, as amended) apply with respect to shipments of swine and carcasses, parts and offal of swine from these areas.

The foregoing amendment in part relieves restrictions presently imposed and must be made effective immediately to be of maximum benefit to persons subject to such restrictions. In part the amendment imposes further restrictions necessary to prevent the spread of vesicular exanthema, a communicable disease of swine, and to this extent it must be made effective immediately to accomplish its purpose in the public interest. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public procedure with respect to the foregoing amendment are impracticable and contrary to the public interest and good cause is found for making the amendment effective less than 30 days after publication hereof in the FEDERAL REGISTER.

(Secs. 4, 5, 23 Stat. 32, as amended, sec. 2, 32 Stat. 702, as amended, secs. 1, 3, 33 Stat. 1264, as amended, 1265, as amended; 21 U. S. C. 120, 111, 123, 125. Interprets or applies sec. 7, 23 Stat. 32, as amended; 21 U. S. C. 117)

Done at Washington, D. C., this 29th day of April 1953.

[SEAL]

TRUE D. MORSE,  
Secretary of Agriculture.

[F. R. Doc. 53-3902; Filed, May 4, 1953;  
8:50 a. m.]

## TITLE 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 53251]

#### PART 12—SPECIAL CLASSES OF MERCHANDISE

##### IMPORTATION OF PSITTACINE BIRDS, FEATH- ERS, AND FEATHERS FOR USE IN MANUFAC- TURE OF ARTIFICIAL FLIES USED FOR FISHING AND FOR MILLITARY PURPOSES

Section 12.26 (b) (4) and (c) Customs Regulations of 1943 (19 CFR 12.26 (b) (4) and (c)) is amended as follows in order to conform with the amended Foreign Quarantine Regulations of the United States Public Health Service (42 CFR 71.152, 71.153; 18 F. R. 472)

1. Paragraph (b) (4) is amended to read:

(4) Psittacine birds, which include all birds commonly known as parrots, Amazons, African grays cockatoos, macaws, parakeets, lovebirds, lories, lorikeets, and all other birds of the order Psittaciformes, when destined for a zoological park or research institution, or psittacine birds taken out of the United States but which are not admissible under paragraph (c) of this section, may be imported only under a permit from the Surgeon General (Division of Foreign Quarantine) United States Public Health Service, Federal Security Agency, Washington 25, D. C. Such permits must be obtained prior to importation.<sup>1,2</sup>

2. Paragraph (c) is amended to read:

(c) Parrots and all other birds of the order Psittaciformes, when not exceeding two in number, may be imported by the owner under certain conditions and upon compliance with the Foreign Quarantine Regulations of the United States Public Health Service.<sup>3</sup> This provision also covers such birds taken out of the United States and returned to this country. However, a permit is necessary when three or more such birds are to be taken out of the United States and returned at a later date. Such birds shall not be released until the Public Health regulations are complied with by the importer.

(R. S. 161, 251, sec. 624, 46 Stat. 753; 5 U. S. C. 22, 19 U. S. C. 63, 1624. Interprets or applies sec. 1, 62 Stat. 637, as amended; 18 U. S. C. 42)

In view of the amendment of paragraphs 1518 and 1535 of the Tariff Act of 1930 by Public Law 580, 82d Congress, approved July 17, 1952 (T. D. 53086) relating to the importation of the feathers of wild birds, § 12.29 of the Customs Regulations of 1943 (19 CFR 12.29) is amended as follows:

1. Paragraph (a) is amended to read:

(a) The provisions of paragraph 1518, Tariff Act of 1930, as amended,<sup>1,2</sup> relating to the plumage of any bird, apply to all such plumage, whether imported separately or upon the bird itself, except (1) the feathers of birds specifically excepted by said paragraph 1518, (2) plumage imported for scientific or educational purposes, (3) fully-manufactured artificial files used for fishing, (4) plumage on game birds killed in foreign

countries by residents of the United States and not imported for sale or other commercial purposes, and (5) plumage on live wild birds.

2. Paragraph (b) is amended to read:

(b) The feathers or skins of certain birds may be imported for use in the manufacture of artificial flies used for fishing or for millinery purposes only under a permit issued by the Fish and Wildlife Service, United States Department of Interior, Washington 25, D. C.<sup>16</sup> No feathers or skins of the species provided for by paragraph 1518 of the Tariff Act of 1930, as amended, shall be permitted to be entered, or withdrawn from warehouse, for consumption, unless the requisite permit is presented with the entry or withdrawal.

3. Footnote 16, appended to § 12.29 (a) and (b) is amended to read as follows:

<sup>16</sup> (b) Except as provided in paragraphs (c) and (d), the importation of the feathers or skin of any bird is hereby prohibited. Such prohibition shall apply to the feathers or skin of any bird—

- (1) Whether raw or processed;
- (2) Whether the whole plumage or skin or any part of either;
- (3) Whether or not attached to a whole bird or any part thereof; and
- (4) Whether or not forming part of another article.

(c) Paragraph (b) shall not apply—

(1) In respect of any of the following birds (other than any such bird which, whether or not raised in captivity, is a wild bird) Chickens (including hens and roosters), turkeys, guinea fowl, geese, ducks, pigeons, ostriches, rheas, English ringnecked pheasants, and pea fowl;

(2) To any importation for scientific or educational purposes;

(3) To the importation of fully manufactured artificial flies used for fishing;

(4) To the importation of birds which are classifiable under paragraph 1682; and

(5) To the importation of live birds.

(d) Notwithstanding paragraph (b), there may be entered, or withdrawn from warehouse, for consumption in each calendar year the following quotas of skins bearing feathers:

(1) For use in the manufacture of artificial flies used for fishing:

(A) Not more than 5,000 skins of grey jungle fowl (*Gallus sonneratii*), and (B) not more than 1,000 skins of mandarin duck (*Dendrocygna galericulata*); and

(2) For use in the manufacture of artificial flies used for fishing, or for millinery purposes, not more than 45,000 skins, in the aggregate, of the following species of pheasant: Lady Amherst pheasant (*Chrysolophus amherstiae*), golden pheasant (*Chrysolophus pictus*), silver pheasant (*Lophura nycthemera*), Reeves pheasant (*Syrnaticus reevesii*), blue-eared pheasant (*Crossoptilon auritum*), and brown-eared pheasant (*Crossoptilon mantchuricum*). For the purposes of this subparagraph any part of a skin which has been severed shall be considered to be a whole skin.

(e) No article specified in paragraph (d) shall be entered, or withdrawn from warehouse, for consumption except under a permit issued by the Secretary of the Interior.

(f) Any article of a kind the importation of which is prohibited or subjected to a quota by paragraphs (b), (c), and (d) and which is in the United States shall be presumed for the purposes of seizure and forfeiture to have been imported in violation of law and shall be seized and forfeited under the customs laws unless such presumption is satisfactorily rebutted; except

that such presumption shall not apply to articles in actual use for personal adornment or for scientific or educational purposes. \* \* \* (Tariff Act of 1930, sec. 1, par. 1518; 19 U. S. C. 1001, par. 1518.)

See 50 CFR, Part 10, for permit regulations of the Fish and Wildlife Service, Department of the Interior.

4. Paragraph (c) is deleted and paragraphs (d) and (e) are redesignated (c) and (d) respectively.

5. The marginal reference opposite § 12.29 (a) is amended by adding therein "T. D. 53066."

(R. S. 161, 251, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624. Interprets or applies pars. 1518, 1535, 1671, secs. 1, 201, 46 Stat. 661, 667, 677; 19 U. S. C. 1001, 1201, pars. 1518, 1535, 1671)

[SEAL] ~ D. B. STRUBINGER,  
Acting Commissioner of Customs.

Approved: April 27, 1953.

H. CHAPMAN ROSE,  
Acting Secretary of the Treasury.

[F. R. Doc. 53-3921; Filed, May 4, 1953;  
8:53 a. m.]

## TITLE 24—HOUSING AND HOUSING CREDIT

### Chapter VIII—Office of Rent Stabilization, Economic Stabilization Agency

#### PART 801—VETERANS' PREFERENCE REGULATION UNDER HOUSING AND RENT ACT OF 1947, AS AMENDED

##### MISCELLANEOUS AMENDMENTS

Amendment 2 to the Veterans' Preference Regulation. Said regulation is hereby amended in the following respects:

(a) By striking out the date April 30, 1953, wherever it appears in said Veterans' Preference Regulation and inserting in lieu thereof April 30, 1954,

(b) By inserting immediately after the words "veterans of World War II" wherever they appear in said regulation the words "and of the Korean conflict";

(c) By inserting immediately after the words "during World War II" wherever they appear in said regulation the words "or the Korean conflict"

(Sec. 4, 61 Stat. 195, as amended; 50 U. S. C. App. Sup. 1884)

Effective: May 1, 1953.

Issued this 1st day of May 1953.

WILLIAM G. BARR,  
Acting Director of  
Rent Stabilization.

[F. R. Doc. 53-3961; Filed, May 1, 1953;  
3:59 p. m.]

## TITLE 32A—NATIONAL DEFENSE, APPENDIX

### Chapter VI—National Production Authority, Department of Commerce

#### [CMP Regulation No. 2—Revocation]

#### CMP REG. 2—INVENTORIES OF CONTROLLED MATERIALS

##### REVOCATION

CMP Regulation No. 2 (17 F. R. 10304) is hereby revoked. This revocation does

not relieve any person of any obligation or liability incurred under CMP Regulation No. 2, as originally issued or as thereafter amended, nor deprive any person of any rights received or accrued under said regulation prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong., 50 U. S. C. App. Sup. 2154)

This revocation is effective May 1, 1953.

NATIONAL PRODUCTION  
AUTHORITY,  
By GEORGE W. AUXIER,  
Executive Secretary.

[F. R. Doc. 53-3954; Filed, May 1, 1953;  
3:00 p. m.]

[NPA Reg. 1—Revocation]

#### REG. 1—INVENTORY CONTROL

##### REVOCATION

NPA Reg. 1, as amended December 24, 1952 (17 F. R. 11756), and as further amended by Amendment 1 of February 10, 1953 (18 F. R. 845), and by Amendment 2 of February 25, 1953 (18 F. R. 1139) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Reg. 1 as originally issued or as thereafter amended, nor deprive any person of any rights received or accrued under said regulation prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong., 50 U. S. C. App. Sup. 2154)

This revocation shall take effect May 1, 1953.

NATIONAL PRODUCTION  
AUTHORITY,  
By GEORGE W. AUXIER,  
Executive Secretary.

[F. R. Doc. 53-3955; Filed, May 1, 1953;  
3:00 p. m.]

[NPA Order M-54—Revocation]

#### M-54—PLATINUM

##### REVOCATION

NPA Order M-54 (18 F. R. 1209) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-54 as originally issued or as thereafter amended, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong., 50 U. S. C. App. Sup. 2154)

This revocation is effective May 1, 1953.

NATIONAL PRODUCTION  
AUTHORITY,  
By GEORGE W. AUXIER,  
Executive Secretary.

[F. R. Doc. 53-3956; Filed, May 1, 1953;  
3:00 p. m.]



# Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 49 to Schedule B]  
[Rent Regulation 2, Amdt. 50 to Schedule B]

## RR 1—HOUSING

## RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

## SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

### WEST VIRGINIA

Effective May 4, 1953, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 30th day of April 1953.

WILLIAM G. BARR,  
Acting Director of  
Rent Stabilization.

1. Item 90 is added to Schedule B of Rent Regulation 1—Housing, reading as follows:

90. *Provisions relating to the Logan, West Virginia, Defense-Rental Area (Item 356b of Schedule A).* With respect to housing accommodations in the Logan, West Virginia, Defense-Rental Area, section 141 of this regulation is changed to read as follows:

SEC. 141. *Alternate adjustment for increases in costs and prices.* The present maximum rent for the housing accommodation does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable housing accommodations on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947 under this regulation for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947 for the housing accommodations or comparable housing accommodations, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under sections 157 or 162 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director. All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates are amended to the extent necessary to carry into effect the provisions of this item of Schedule B.

2. Item 101 is added to Schedule B of Rent Regulation 2—Rooms, reading as follows:

101. *Provisions relating to the Logan, West Virginia, Defense-Rental Area (Item 356b of Schedule A).* With respect to housing accommodations in the Logan, West Virginia, Defense-Rental Area, section 138 is added to this regulation to read as follows:

SEC. 138. *Alternate adjustment for increases in costs and prices.* The present maximum rent for the room does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of

the maximum rent for comparable rooms on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947 under this regulation for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947 for the room or comparable rooms, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under sections 157 or 162 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director. All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates are amended to the extent necessary to carry into effect the provisions of this item of Schedule B.

[F. R. Doc. 53-3917; Filed, May 4, 1953; 8:52 a. m.]

[Rent Regulation 1, Amdt. 50 to Schedule B]

[Rent Regulation 2, Amdt. 51 to Schedule B]

## RR 1—HOUSING

## RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

## SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

### WEST VIRGINIA

Effective May 4, 1953, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 30th day of April 1953.

WILLIAM G. BARR,  
Acting Director of  
Rent Stabilization.

1. Item 91 is added to Schedule B of Rent Regulation 1—Housing, reading as follows:

91. *Provisions relating to Mercer and McDowell Counties, West Virginia, portions of the Bluefield Defense-Rental Area (Item 354b of Schedule A)* With respect to housing accommodations in Mercer and McDowell Counties, West Virginia, section 141 of this regulation is changed to read as follows:

SEC. 141. *Alternate adjustment for increases in costs and prices.* The present maximum rent for the housing accommodation does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable housing accommodations on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947 under this regulation for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947 for the housing

accommodations or comparable housing accommodations, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under sections 157 or 162 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director. All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates are amended to the extent necessary to carry into effect the provisions of this item of Schedule B.

2. Item 102 is added to Schedule B of Rent Regulation 2—Rooms, reading as follows:

102. *Provisions relating to Mercer and McDowell Counties, West Virginia, portions of the Bluefield Defense-Rental Area (Item 354b of Schedule A).* With respect to housing accommodations in Mercer and McDowell Counties, West Virginia, section 138 is added to this regulation to read as follows:

SEC. 138. *Alternate adjustment for increases in costs and prices.* The present maximum rent for the room does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable rooms on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947 under this regulation for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947 for the room or comparable rooms, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under sections 157 or 162 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director. All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates are amended to the extent necessary to carry into effect the provisions of this item of Schedule B.

[F. R. Doc. 53-3918; Filed, May 4, 1953; 8:53 a. m.]

[Rent Regulation 1, Amdt. 14]

## RR 1—HOUSING

## MISCELLANEOUS AMENDMENTS

Effective May 1, 1953, Rent Regulation 1 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 1st day of May 1953.

WILLIAM G. BARR,  
Acting Director of  
Rent Stabilization.

1. Section 31 (a) is amended by changing the words "except as otherwise pro-

vided in sections 36 to 58" which appear therein to read "except as provided in sections 36 to 59 of this regulation."

2. A new section 59 is added, reading as follows:

**SEC. 59. Accommodations created by new construction or additional housing accommodations created by conversion—on or after February 1, 1947** (a) Notwithstanding any other provision of this regulation, effective May 1, 1953, in any area certified under section 204 (1) of the act as being a critical defense housing area, this regulation does not apply to the following: (1) Housing accommodations the construction of which was completed on or after February 1, 1947, or (2) housing accommodations which are additional housing accommodations created on or after February 1, 1947 by a conversion.

(b) For purposes of this section the word "conversion" means (1) a change in a structure from a non-housing use to a housing use or (2) a structural change in a residential unit or units involving substantial alterations or remodeling and resulting in the creation of additional housing accommodations.

(c) For purposes of this section, the time at which construction of housing accommodations shall be deemed to be "completed" shall be the date on which the dwelling is first suitable for occupancy and all utility and service connections have been made, except for the installation of such items and the completion of such decoration work, as, in accordance with the custom of the community, are left for installation by, or to the choice of, the purchaser or the tenant.

3. The head-note which appears at the beginning of Schedule A of Rent Regulation 1 is amended to read as follows:

**NOTE:** In the column designated as "Class" the letters A, B and C appearing therein indicate the housing accommodations within the scope of this regulation (see section 31) under control (except as modified by Schedule B) as follows:

A—All housing accommodations (including those, if any, which prior to effective date indicated in Schedule A were decontrolled under a provision of Schedule B), except those exempt under sections 36 to 43 or decontrolled under sections 55 (a), 56 and 59 of this regulation.

B—All housing accommodations except those exempt or decontrolled under sections 36 to 59 of this regulation.

C—Housing accommodations which prior to effective date indicated in this Schedule A were decontrolled under: (a) Sections 55 (b) and 58, and (b) those, if any, under a provision of Schedule B.

[F. R. Doc. 53-3957; Filed, May 1, 1953; 3:58 p. m.]

[Rent Regulation 2, Amdt. 11]

## RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

### MISCELLANEOUS AMENDMENTS

Effective May 1, 1953, Rent Regulation 2 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 1st day of May 1953.

WILLIAM G. BARR,  
Acting Director of  
Rent Stabilization.

1. Section 31 (a) is amended by changing the words "except as provided in sections 36 to 59." which appear therein to read "except as provided in sections 36 to 60 of this regulation."

2. A new section 60 is added, reading as follows:

**SEC. 60. Rooms created by new construction or additional rooms created by conversion—on or after February 1, 1947** (a) Notwithstanding any other provision of this regulation, effective May 1, 1953, in any area certified under section 204 (1) of the act as being a critical defense housing area, this regulation does not apply to the following: (1) Rooms the construction of which was completed on or after February 1, 1947, or (2) rooms which are additional housing accommodations created on or after February 1, 1947 by a conversion.

(b) For purposes of this section the word "conversion" means (1) a change in a structure from a non-housing use to a housing use or (2) a structural change in a residential unit or units involving substantial alterations or remodeling and resulting in the creation of additional housing accommodations.

(c) For purposes of this section, the time at which construction of housing accommodations shall be deemed to be "completed" shall be the date on which the dwelling is first suitable for occupancy and all utility and service connections have been made, except for the installation of such items and the completion of such decoration work, as, in accordance with the custom of the community, are left for installation by or to the choice of, the purchaser or the tenant.

3. The head-note which appears at the beginning of Schedule A of Rent Regulation 2 is amended to read as follows:

**NOTE:** In the column designated as "Class" the letters A, B and C appearing therein indicate the housing accommodations within the scope of this regulation (see section 31) under control (except as modified by Schedule B) as follows:

A—All housing accommodations (including those, if any, which prior to effective date indicated in this Schedule A were decontrolled under a provision of Schedule B), except those exempt under sections 36 to 42 or decontrolled under sections 56 (a), 57 and 60 of this regulation.

B—All housing accommodations except those exempt or decontrolled under sections 36 to 60 of this regulation.

C—Housing accommodations which prior to effective date indicated in this Schedule A were decontrolled under: (a) Sections 53, 54, 55, 56 (b), 58 and 59 of this regulation, and (b) those, if any, under a provision of Schedule B.

[F. R. Doc. 53-3958; Filed, May 1, 1953; 3:58 p. m.]

[Rent Regulation 3, Amdt. 10]

## RR 3—HOTELS

### MISCELLANEOUS AMENDMENTS

Effective May 1, 1953, Rent Regulation 3 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 1st day of May 1953.

WILLIAM G. BARR,  
Acting Director of  
Rent Stabilization.

1. Section 21(a) is amended by changing the words "except as provided in sections 23 to 28, inclusive," which appear therein to read "except as provided in sections 23 to 30 of this regulation."

2. A new center caption and new sections 29 and 30 are added immediately after section 28, reading as follows:

### DECONTROLLED HOUSING ACCOMMODATIONS

**SEC. 29. Rooms created by new construction on or after February 1, 1947** (a) This regulation does not apply to rooms the construction of which was completed on or after February 1, 1947.

(b) For purposes of this section, the time at which construction of a room shall be deemed to be "completed" shall be the date on which the room is first suitable for occupancy and all utility and service connections have been made, except for the installation of such items and the completion of such decoration work, as, in accordance with the custom of the community, are left for installation by, or to the choice of, the purchaser or tenant.

**SEC. 30. Additional rooms created by conversion on or after February 1, 1947** (a) This regulation does not apply to additional rooms created on or after February 1, 1947, by a conversion.

(b) For purposes of this section the word "conversion" means (1) a change in a structure from a non-housing use to a housing use or (2) a structural change in a residential unit or units involving substantial alterations or remodeling and resulting in the creation of additional housing accommodations.

[F. R. Doc. 53-3959; Filed, May 1, 1953; 3:58 p. m.]

[Rent Regulation 4, Amdt. 4]

## RR 4—MOTOR COURTS

### MISCELLANEOUS AMENDMENTS

Effective May 1, 1953, Rent Regulation 4 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 1st day of May 1953.

WILLIAM G. BARR,  
Acting Director of  
Rent Stabilization.

1. Section 21 (a) is amended by changing the words "except as provided in sections 23 to 26." which appear therein to read "except as provided in sections 23 to 28 of this regulation."

2. A new center caption and new sections 27 and 28 are added immediately after section 26, reading as follows:



## DECONTROLLED HOUSING ACCOMMODATIONS

SEC. 27. *Rooms created by new construction on or after February 1, 1947* (a) This regulation does not apply to rooms the construction of which was completed on or after February 1, 1947.

(b) For purposes of this section, the time at which construction of a room shall be deemed to be "completed" shall be the date on which the room is first suitable for occupancy and all utility and service-connections have been made, except for the installation of such items and the completion of such decoration work, as, in accordance with the custom of the community, are left for installation by, or to the choice of, the purchaser or tenant.

SEC. 28. *Additional rooms created by conversion on or after February 1, 1947.*

(a) This regulation does not apply to additional rooms created on or after February 1, 1947, by a conversion.

(b) For purposes of this section the word "conversion" means (1) a change in a structure from a non-housing use to a housing use or (2) a structural change in a residential unit or units involving substantial alterations or remodeling and resulting in the creation of additional housing accommodations.

[F. R. Doc. 53-3960; Filed, May 1, 1953; 3:58 p. m.]

## TITLE 36—PARKS, FORESTS, AND MEMORIALS

## Chapter I—National Park Service, Department of the Interior

## PART 20—SPECIAL REGULATIONS

## OLYMPIC NATIONAL PARK; FISHING

1. Paragraph (a) entitled *Fishing; open season*, of § 20.28, entitled *Olympic National Park*, is amended by the addition of a new subparagraph reading as follows:

(4) In that part of Olympic National Park known as the Queets Corridor and Ocean Strip, which was added to the Park by Proclamation of the President of January 6, 1953 (18 F. R. 169) fishing shall be done in conformity with the laws and regulations promulgated by the State of Washington for these areas.

2. Paragraph (g) of § 20.28, entitled *Olympic National Park*, is amended to read as follows:

(g) *Fishing; license.* A State or County fishing license is required for fishing in the Queets Corridor, Ocean Strip and other lands added to the Park by Proclamations of the President dated May 29, 1943 (8 F. R. 7365) and January 6, 1953 (18 F. R. 169). No license or permit is required for fishing in any waters of the Park over which the United States has exclusive jurisdiction.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 29th day of April 1953.

DOUGLAS McKAY,  
Secretary of the Interior

[F. R. Doc. 53-3886; Filed, May 4, 1953; 8:45 a. m.]

No. 86—2

## TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

## Chapter I—Veterans' Administration

## PART 36—SERVICEMEN'S READJUSTMENT ACT OF 1944

## SUBPART A—TITLE III, LOAN GUARANTY INTEREST RATES

In § 36.4311 paragraph (a) is amended to read as follows:

§ 36.4311 *Interest rates.* (a) Excepting non-real estate loans insured under section 508 of the act, the interest rate on any loan guaranteed or insured wholly or in part may not exceed four and one-half per centum per annum on the unpaid principal balance.

(Sec. 504, 58 Stat. 293, as amended; 38 U. S. C. 694d)

This regulation is effective May 5, 1953.

[SEAL] H. V. STIRLING,  
Deputy Administrator.

[F. R. Doc. 53-3977; Filed, May 4, 1953; 10:24 a. m.]

## TITLE 47—TELECOMMUNICATION

## Chapter I—Federal Communications Commission

## PART 3—RADIO BROADCAST SERVICES

## Correction

In Federal Register Document 53-3692, published at page 2474 of the issue for Tuesday, April 28, 1953, amendatory paragraph 1A should read as follows:

A. Section 3.606 (b) is amended by changing the assignments to Fort Wayne, Indiana, to specify: "27+, 33— 69"

PROPOSED  
RULE MAKING

## DEPARTMENT OF AGRICULTURE

## Bureau of Animal Industry

## [ 9 CFR Part 76 ]

## INTERSTATE MOVEMENT OF SWINE

## MOVEMENTS FROM PUBLIC STOCKYARDS TO STATES REQUIRING 3 WEEKS SEGREGATION; WHEN PERMITTED

Notice is hereby given in accordance with section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Secretary of Agriculture, pursuant to the authority conferred upon him by sections 1 and 2 of the act of February 2, 1903, as amended (21 U. S. C. 111 and 120) is considering amending the specific regulations governing the interstate movement of swine (9 CFR Part 76) to permit use of modified live-virus vaccine, prepared under license from the

Secretary of Agriculture, for inoculating swine at public stockyards for the prevention of hog cholera, which swine are to be shipped interstate for purposes other than immediate slaughter, as follows:

1. § 76.5 (d) (2) would be amended to read:

(2) Simultaneous inoculation method: The swine may be given the simultaneous inoculation with anti-hog-cholera serum and hog-cholera virus or such serum and modified live-virus vaccine prepared under license from the Secretary of Agriculture. The doses of serum, virus, and modified live-virus vaccine administered shall be in conformity with the amounts specified in paragraph (f) of this section.

2. § 76.5 (f) would be amended to read:

(f) The dosage of serum, virus, and modified live-virus vaccine used for the treatment of swine under the provisions of paragraph (d) of this section shall in no instance be less than that prescribed in subparagraphs (1) (2) and (3) of this paragraph.

(1) Dosage of anti-hog-cholera serum.

Weight of swine (pounds)	Dose of serum (cubic centimeters)
20-40	30
40-60	30-40
60-80	40-50
80-120	50-60
120-150	60-70
150-180	70-80
180 and over	80-100

(2) Dosage of virus.

Weight of swine (pounds)	Dose of virus (cubic centimeters)
20-40	1
Over 40	2

(3) Dosage of modified live-virus vaccine with anti-hog-cholera serum. The dosage of modified live-virus vaccine shall be that recommended on the product label by the licensed manufacturer, supplemented with anti-hog-cholera serum in the amounts given in subparagraph (1) of this paragraph.

The purpose of the foregoing proposed amendment is to permit the use of modified live-virus vaccine in conjunction with anti-hog-cholera serum as an alternative means of immunizing swine against hog cholera under these regulations.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them with the Chief, Bureau of Animal Industry, Agricultural Research Administration, U. S. Department of Agriculture, Washington 25, D. C., within thirty days after the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 29th day of April 1953.

[SEAL] TRUE D. MORSE,  
Acting Secretary of Agriculture.

[F. R. Doc. 53-3903; Filed, May 4, 1953; 8:50 a. m.]

## Production and Marketing Administration

### [ 7 CFR Part 943 ]

[Docket No. AO-231-A3]

#### HANDLING OF MILK IN NORTH TEXAS MARKETING AREA

NOTICE OF EXTENSION OF TIME FOR FILING EXCEPTIONS TO RECOMMENDED DECISION WITH RESPECT TO PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing the formulation of marketing agreements and orders (7 CFR Part 900) notice is hereby given that the time for filing exceptions to the recommended decision with respect to a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the North Texas marketing area, which was issued April 15, 1953 (18 F. R. 2241) is hereby extended to May 8, 1953.

Dated: April 30, 1953 at Washington, D. C.

[SEAL] ROY W. LENNARTSON,  
Assistant Administrator

[F. R. Doc. 53-3923; Filed, May 4, 1953;  
8:54 a. m.]

### [ 7 CFR Part 949 ]

[Docket No. AO 232-A1 RO2]

#### HANDLING OF MILK IN SAN ANTONIO, TEXAS, MARKETING AREA

NOTICE OF REOPENING OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) notice is hereby given of the reopening of the public hearing held August 26, 1952, and reopened November 5, 1952, at San Antonio, Texas, on proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in San Antonio, Texas, marketing area.

The purposes of the reopened hearing is to afford interested parties opportunity to introduce additional evidence with respect to the proposed amendments which were not acted upon by the Secretary in his decision of November 20, 1952 (17 F. R. 10658), and to receive evidence concerning the additional proposals for amendment hereinafter set forth, or appropriate modifications thereof. Neither the proposals set forth below nor those contained in the original notice of hearing have been approved by the Secretary of Agriculture.

The reopened hearing will be held in the U. S. Post Office and Court House, San Antonio, Texas, beginning at 10:00 a. m., c. s. t., May 21, 1953. The proposed relative to the enlargement of the marketing area raises the issue whether the provisions of the present order would tend to effectuate the declared policy of the act if applied to the marketing area as proposed to be enlarged, and if not, what modifications of the classification, pricing (including all differentials) and payment provisions of the order, as amended, would be appropriate for this purpose. The following additional amendments have been proposed:

By Producers Association of San Antonio, Inc.

1. Delete § 949.8 and substitute therefor the following:

§ 949.8 *Producer* "Producer" means any person, other than a producer-handler, who produces milk received directly from the farm at an approved plant which milk is (a) produced under a permit or rating for the production of milk to be disposed of for consumption as Grade A milk issued by the appropriate health authority having jurisdiction in the marketing area, by another health authority whose certification is accepted by such health authority (b) is acceptable to an agency of the Federal Government for fluid consumption in its institutions or bases, or (c) is caused to be diverted by a handler from an approved plant to an unapproved plant. This definition shall not include any such person with respect to milk received by a handler partially exempt from this subpart pursuant to § 949.61.

2. Delete § 949.41 (a) and substitute therefor the following:

(a) Class I milk shall be all skim milk (including reconstituted skim milk) and butterfat (1) disposed of in the form of milk, skim milk, buttermilk, flavored milk, flavored milk drinks, cream, cultured sour cream, any mixture (except eggnog and bulk ice cream and frozen dairy product mixes) of cream and milk or skim milk, (2) shrinkage on producer milk other than that specified in paragraph (b) (3) of this section, and (3) all other skim milk and butterfat not specifically accounted for as Class II milk.

3. Delete § 949.41 (b) (1) and substitute therefor the following:

(1) Used to produce any dairy products other than those specified in paragraph (a) of this section.

4. Delete § 949.41 (b) (3) and substitute therefor the following:

(3) In shrinkage up to 2 percent of receipts from producers classified as Class II pursuant to § 949.46.

5. Change § 949.80 so that the following shall be added thereto: "Each handler shall pay proportionately on all other source milk allocated to Class I pursuant to § 949.46 an amount equal to the difference between the Class I price

and the Class II price multiplied by an amount equal to the producer milk allocated to Class II pursuant to § 949.46 less shrinkage."

6. Add a proviso as follows: "That a plant to be an approved plant should do a specified percentage of its distribution in the marketing area."

By Jim Maverick, Sunshine Ranch:

7. Change § 949.8 by deleting therefrom the following: "Other than a producer-handler."

By the Guadalupe Valley Creamery Co., Inc., and the Comal Cooperative Creamery Company:

8. Add to § 949.5 the following: "Comal, Guadalupe, and Hayes Counties."

By the Dairy Branch, Production and Marketing Administration:

9. Reconsider the definitions of producer milk (§ 949.9) and other source milk (§ 949.10)

10. Reconsider the methods of accounting for and classification of inventories.

11. Provide rules concerning the allocation of products other than bulk milk, skim milk, and cream, transferred between approved plants.

12. Make such changes as may be required to make the entire marketing agreement and order conform with any amendments thereto that may result from the hearing.

Copies of this notice of reopening of hearing, and the order now in effect, may be procured from the Market Administrator, 1204 North Main Avenue, San Antonio, Texas, or from the Hearing Clerk, United States Department of Agriculture, Room 1353 South Building, Washington 25, D. C., or may be there inspected.

Filed at Washington, D. C., on April 30, 1953.

[SEAL] ROY W. LENNARTSON,  
Assistant Administrator

[F. R. Doc. 53-3924; Filed, May 4, 1953;  
8:54 a. m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### [ 29 CFR Part 697 ]

PUERTO RICO; BUTTON, BUCKLE, AND JEWELRY INDUSTRY; PEARL BUTTON AND BUCKLE DIVISION

NOTICE OF EXTENSION OF TIME TO FILE EXCEPTIONS TO PROPOSED MINIMUM WAGE RATES

On April 14, 1953, there was published in the FEDERAL REGISTER (18 F. R. 2085) a notice of my proposed decision concerning new minimum wage rates for Button, Buckle, and Jewelry Industry in Puerto Rico, which included my proposed decision to approve the minimum wage recommendation of Special Industry Committee No. 12 for Puerto Rico for the Pearl Button and Buckle Division of the Button, Buckle, and Jewelry Industry. Said proposed decision stated that within 20 days from publication of

the proposed decision interested parties could submit written exceptions to said proposed action.

Notice is hereby given that, upon good cause shown, the time for filing exceptions to my proposed decision to approve the recommendations of Special Industry Committee No. 12 for Puerto Rico for the Pearl Button and Buckle Division of the Button, Buckle, and Jewelry Industry in Puerto Rico is hereby extended to May 18, 1953. Such exceptions should be addressed to the Administrator

of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C. They should be submitted in quadruplicate, and should include supporting reasons for any exceptions.

Signed at Washington, D. C., this 30th day of April 1953.

WILL R. McCOMB,  
Administrator,  
Wage and Hour Division.

[F. R. Doc. 53-3919; Filed, May 4, 1953;  
8:53 a. m.]

## NOTICES

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

##### NEVADA

##### CLASSIFICATION ORDER; AMENDED

APRIL 28, 1953.

Pursuant to the authority delegated to me by the Regional Administrator, Region II, Bureau of Land Management, by Order No. 1, Amendment No. 2, dated January 29, 1953 (18 F. R. 734) Nevada Small Tract Classification Order No. 49 of February 10, 1950, is hereby amended to permit sales to lessees for homesite and business site purposes only in accordance with the following schedule:

T. 22 S., R. 61 E., M. D. M.,  
Sec. 5, E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ .

In tracts of approximately 5 acres subject to State highway right-of-way at \$350 per tract.

W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ .

In tracts of approximately 2 $\frac{1}{2}$  acres at \$200 per tract.

E. I. ROWLAND,  
Regional Chief,  
Division of Lands.

[F. R. Doc. 53-3285, Filed, May 4, 1953;  
8:45 a. m.]

### DEPARTMENT OF COMMERCE

#### Federal Maritime Board

[No. M-60]

##### COASTWISE LINE

NOTICE OF HEARING OF APPLICATION TO BAREBOAT CHARTER THREE GOVERNMENT-OWNED, WAR-BUILT, DRY-CARGO VESSELS FOR EMPLOYMENT IN PACIFIC COASTWISE/BRITISH COLUMBIA/ALASKA SERVICE

Pursuant to section 3, Public Law 591, 81st Congress, notice is hereby given that an informal public hearing will be held at Washington, D. C., on May 11, 1953, at 10 o'clock a. m., e. d. s. t., in Room 4821, Department of Commerce Building, before Chief Examiner G. O. Bas-ham, upon the application of Coastwise Line to bareboat charter three (3) Government-owned, war-built, dry-cargo Liberty-type vessels, the SSs Tarleton Brown, John W. Burgess, and Charles Crocker, for use in the Pacific Coastwise/ British Columbia/Alaska service.

The purpose of the hearing is to receive evidence with respect to whether

the service for which such vessels are proposed to be chartered is required in the public interest and is not adequately served, and with respect to the availability of privately owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service. Evidence also will be received with respect to any restrictions or conditions that may under the statute be included in the charter if the application should be granted.

All persons having an interest in the application will be given an opportunity to be heard if present. The hearing will be conducted according to the Board's Rules of Procedure (12 F. R. 6076) insofar as they are determined to be applicable by the Presiding Officer or the Board.

The parties may have oral argument before the examiner immediately following the close of the hearing, in lieu of briefs, and the examiner will issue a recommended decision. Parties may have three (3) days or such shorter time as may be agreed to at the hearing within which to file exceptions to, or memoranda in support of, the examiner's recommended decision, but the Board reserves the right to determine whether oral argument on exceptions will be granted and whether briefs in connection therewith will be received.

Dated: April 30, 1953.

By order of the Federal Maritime Board.

[SEAL]

A. J. WILLIAMS,  
Secretary.

[F. R. Doc. 53-3911; Filed, May 4, 1953;  
8:51 a. m.]

### DEPARTMENT OF LABOR

#### UNDER SECRETARY

##### DELEGATION OF AUTHORITY TO PERFORM CERTAIN DUTIES OF SECRETARY

Pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) the Statement of Organization of the Department of Labor heretofore published in the FEDERAL REGISTER is amended to show the following delegation of authority:

The Secretary of Labor has issued a general order which provides that Under Secretary Lloyd A. Mashburn is author-

ized to perform any of the duties with which the Secretary of Labor is charged by the Davis-Bacon Act (act of March 3, 1931, c. 411, 46 Stat. 1494, 40 U. S. C. 276 (a)) as amended; by the National Housing Act (act of June 27, 1934, c. 847, 48 Stat. 1246, 12 U. S. C. 1715 (c)) as amended; by the Federal Airport Act (act of May 13, 1946, c. 251, 60 Stat. 170, 49 U. S. C. 1114 (b)), as amended; by the Tennessee Valley Authority Act (act of May 18, 1933, c. 32, 48 Stat. 53, 16 U. S. C. 831 (b)) as amended; by the Hospital Survey and Construction Act (act of August 13, 1946, c. 958, 60 Stat. 1040, 42 U. S. C. 291) as amended; by the U. S. Housing Act of 1937 (act of September 1, 1937, c. 896, 50 Stat. 838, 42 U. S. C. 1416 (1)) as amended; by the Housing Act of 1949 (act of July 15, 1949, c. 338, 63 Stat. 413, 42 U. S. C. 1451-1460) by the School Survey and Construction Act of 1950 (act of September 23, 1950, c. 995, 64 Stat. 967, 20 U. S. C. 251 et seq.) by the Housing Act of 1950 (act of April 20, 1950, c. 94, 64 Stat. 48, 42 U. S. C. 1521 et seq.) and by the Defense Housing and Community Facilities and Services Act of 1951 (act of September 1, 1951, c. 378, 65 Stat. 293) and by the regulations issued pursuant to Reorganization Plan No. 14 of 1950.

This order supersedes all prior orders or regulations of the Secretary of Labor or of any officers of the Department of Labor inconsistent therewith. It also supersedes anything contained in statements of organization of the Department of Labor heretofore published in the FEDERAL REGISTER which is inconsistent therewith.

Signed at Washington, D. C., this 30th day of April 1953.

MARTIN P. DUREIN,  
Secretary of Labor.

[F. R. Doc. 53-3920; Filed, May 4, 1953;  
8:53 a. m.]

### ECONOMIC STABILIZATION AGENCY

#### Office of Rent Stabilization

##### DESIGNATION OF CERTIFYING OFFICER

Howell C. Happ, a duly appointed, qualified and acting Attorney-Adviser in the Legal Operations, Branch, Legal Division, Office of Rent Stabilization, is hereby designated as Certifying Officer for the Office of Rent Stabilization.

As Certifying Officer, the said Howell C. Happ, is hereby authorized to authenticate, certify or attest documents, records, reports, rules, regulations, orders, memoranda, copies of or entries in files, and other written material in the control and custody of the Office of Rent Stabilization and to certify and attest as to the absence or lack thereof.

Issued and effective this 1st day of May 1953.

WILLIAM G. BARR,  
Acting Director of  
Rent Stabilization.

[F. R. Doc. 53-6952; Filed, May 1, 1953;  
3:59 p. m.]

**FEDERAL POWER COMMISSION**

[Docket No. G-1979]

ARKANSAS LOUISIANA GAS CO.

NOTICE OF FINDINGS AND ORDER

APRIL 29, 1953.

Notice is hereby given that on April 29, 1953, the Federal Power Commission issued its order entered April 28, 1953, issuing in part and denying in part a certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-3887; Filed, May 4, 1953;  
8:45 a. m.]

[Docket No. ID-1197]

PHILIP TORCHIO, JR.

NOTICE OF ORDER AUTHORIZING APPLICANT  
TO HOLD CERTAIN POSITIONS

APRIL 29, 1953.

Notice is hereby given that on April 29, 1953, the Federal Power Commission issued its order entered April 28, 1953, authorizing applicant to hold certain positions pursuant to section 305 (b) of the Federal Power Act in the above-entitled matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-3888; Filed, May 4, 1953;  
8:46 a. m.]

[Project No. 2042]

PUBLIC UTILITY DISTRICT NO. 1 OF PEND  
OREILLE COUNTY, WASHINGTON

NOTICE OF ORDER CORRECTING ORDER ISSUING  
LICENSE (MAJOR)

Notice is hereby given that on April 29, 1953, the Federal Power Commission issued its order entered April 28, 1953, correcting order issuing license (Major) (17 F. R. 2291) in the above-entitled matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-3889; Filed, May 4, 1953;  
8:46 a. m.]

**OFFICE OF DEFENSE  
MOBILIZATION**

[RC 102]

PALATKA, FLORIDA

DECERTIFICATION OF A CRITICAL DEFENSE  
HOUSING AREA

MAY 4, 1953.

Upon review of specific data presented to the Secretary of Defense and the Director of Defense Mobilization, the undersigned find that one or more of the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, no longer exist in the area designated as:

Palatka, Florida.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is no longer a critical defense housing area.

ROGER L. KYES,  
Acting Secretary of Defense.

ARTHUR S. FLEMMING,  
Director of Defense Mobilization.

[F. R. Doc. 53-3990; Filed, May 4, 1953;  
11:45 a. m.]

**SECURITIES AND EXCHANGE  
COMMISSION**

[File Nos. 7-1516, 7-1517]

WARNER BROS. PICTURES, INC., AND  
STANLEY WARNER CORP.

NOTICE OF APPLICATION FOR UNLISTED TRADING  
PRIVILEGES, AND OF OPPORTUNITY FOR  
HEARING

In the matter of application by the Midwest Stock Exchange for unlisted trading privileges in: Warner Bros. Pictures, Inc., Common Stock, \$5 Par Value, 7-1516; Stanley Warner Corporation, Common Stock, \$5 Par Value, 7-1517.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 28th day of April A. D. 1953.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$5 Par Value, of Warner Bros. Pictures, Inc., registered and listed on the New York Stock Exchange; and the Common Stock, \$5 Par Value, of Stanley Warner Corporation, registered and listed on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to May 22, 1953, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 53-3899; Filed, May 4, 1953;  
8:49 a. m.]

[File Nos. 7-1518, 7-1519]

WARNER BROS. PICTURES, INC., AND  
STANLEY WARNER CORP.

NOTICE OF APPLICATION FOR UNLISTED  
TRADING PRIVILEGES, AND OF OPPORTUNITY  
FOR HEARING

In the matter of application by the Pittsburgh Stock Exchange for unlisted trading privileges in Warner Bros., Pictures, Inc., Common Stock, \$5 Par Value, 7-1518; Stanley Warner Corporation, Common Stock, \$5 Par Value, 7-1519.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 28th day of April A. D. 1953.

The Pittsburgh Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$5 Par Value, of Warner Bros. Pictures, Inc., registered and listed on the New York Stock Exchange; and the Common Stock, \$5 Par Value, of Stanley Warner Corporation, registered and listed on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to May 25, 1953, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 53-3900; Filed, May 4, 1953;  
8:49 a. m.]

[File No. 70-3027]

WISCONSIN PUBLIC SERVICE CORP.

SUPPLEMENTAL ORDER RELEASING JURISDICTION  
OVER RESULTS OF BIDDING IN SALE  
OF PREFERRED STOCK

APRIL 29, 1953.

The Commission, by order dated April 20, 1953, having granted the application, as amended, of Wisconsin Public Service Corporation ("Wisconsin"), a public utility subsidiary of Standard Power and Light Corporation and Standard Gas and Electric Company, both registered holding companies, with respect to the issu-

ance and sale by Wisconsin of \$8,000,000 principal amount of First Mortgage Bonds, -- Percent Series due 1933, and 30,000 shares of Preferred Stock, -- percent Series, \$100 par value, subject to reservations of jurisdiction with respect to the results of competitive bidding under Rule U-50 and the legal fees and expenses incurred in connection with said transactions; and

A further amendment having been filed on April 29, 1953, setting forth the action taken by Wisconsin to comply with the requirements of Rule U-50, and stating that pursuant to an invitation for competitive bids the following bids for the preferred stock have been received:

Bidder	Annual dividend rate	Price to company (per share) <sup>1</sup>	Annual cost to company (percent)
Merrill Lynch, Pierce, Fenner & Beane; Salomon Bros. & Hutzler; Union Securities Corp.	\$5.04	\$100.13	5.033457
Lehman Bros.	5.08	100.359	5.081823
Kuhn, Loeb & Co., A. C.			
Allyn & Co., Inc.	5.08	100.141	5.072847
Kidder, Peabody & Co.	5.12	100.479	5.095592
The First Boston Corp., Robert W. Baird & Co., Inc.	5.24	100.04	5.237935

<sup>1</sup> Plus accrued dividends from May 1, 1953, to the date of delivery of and payment for the preferred stock.

Said amendment setting forth that Wisconsin has accepted the bid for the preferred stock submitted by the group headed by Merrill Lynch, Pierce, Fenner & Beane; Salomon Bros. & Hutzler; and Union Securities Corporation, as shown above, and that the preferred stock will be reoffered to the public at a price of \$101.81 per share plus accrued dividends from May 1, 1953, to the date of payment and delivery, resulting in a gross underwriting spread of \$1.68 per share, aggregating \$50,400; and

The Commission having examined said amendment and having considered the record herein and finding no reason for the imposition of terms and conditions with respect to the results of competitive bidding for the preferred stock:

*It is ordered*, That the jurisdiction heretofore reserved with respect to the matters to be determined as the result of competitive bidding for said preferred stock under Rule U-50, be, and the same hereby is, released, and that said application, as further amended, be, and the same hereby is, granted effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

*It is further ordered*, That the jurisdiction heretofore reserved with respect to the matters to be determined as the result of competitive bidding for said bonds under Rule U-50 and over all legal fees and expenses in connection with the transactions proposed herein be, and the same hereby is, continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 53-3895; Filed, May 4, 1953; 8:48 a. m.]

[File No. 70-3020]

# CONSOLIDATED NATURAL GAS CO. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE WITH RESPECT TO ISSUANCE AND SALE OF PROMISSORY NOTES BY PARENT COMPANY TO BANKS AND ISSUANCE OF NOTES BY SUBSIDIARIES TO PARENT COMPANY

APRIL 29, 1953.

In the matter of Consolidated Natural Gas Company, Hope Natural Gas Company, New York State Natural Gas Corporation, File No. 70-3020.

Consolidated Natural Gas Company ("Consolidated") a registered holding company, and its public utility subsidiary, Hope Natural Gas Company ("Hope") and its non-utility subsidiary, New York State Natural Gas Corporation ("New York Natural") having filed a joint application-declaration pursuant to sections 6, 7, 9 (a) 10, and 12 (f) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-45 promulgated thereunder with respect to the following proposed transactions:

Consolidated proposes to borrow \$10,000,000 from one or more banks on or about April 25, 1953, on a commercial note or notes, without collateral, and at an interest rate of 3 percent, maturing one year from the date of borrowing, with the right of Consolidated to prepay the loan at any time.

Consolidated proposes to make short-term loans at the same rate of interest, to two of its subsidiaries, in the following amounts:

Hope Natural Gas Co.	\$4,500,000
New York State Natural Gas Corp.	5,500,000
	10,000,000

Such loans to subsidiaries will mature on or before the date of maturity of the said borrowing proposed by Consolidated. The proceeds of said loans will be used to purchase storage gas which will be held to meet customers' demands during the winter of 1953-54.

The Public Service Commission of West Virginia by order dated March 24, 1953, having approved the proposed issuance and sale of notes by Hope.

Due notice having been given of the filing of the application-declaration and a hearing not having been requested or ordered by the Commission, and the Commission finding that the applicable provisions of the act and rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration be granted and permitted to become effective:

*It is ordered*, Pursuant to Rule U-23 and the applicable provisions of said act, that said application-declaration be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in

Rule U-24 of the general rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 53-3837; Filed, May 4, 1953; 8:43 a. m.]

[File No. 70-3041]

# MIDDLE SOUTH UTILITIES, INC.

ORDER REGARDING INCREASE IN AUTHORIZED COMMON STOCK

APRIL 23, 1953.

Middle South Utilities, Inc. ("Middle South") a registered holding company, having filed a declaration and an amendment thereto pursuant to sections 6 (a) 7, and 12 (e) of the Public Utility Holding Company Act of 1935 ("act") with respect to the following proposed transactions which are more fully set forth in the declaration, as amended:

Middle South proposes to amend its certificate of incorporation so as to increase its authorized capital stock from 7,500,000 shares of no par value common stock to 12,000,000 shares of no par value common stock. The amendment will require the approval of the holders of a majority of the shares of outstanding common stock of Middle South. The company intends to submit the proposed amendment to its stockholders at the annual meeting to be held June 10, 1953, and will solicit proxies with respect thereto.

Middle South states that the financing of its system construction program, presently estimated to require the investment by Middle South in its subsidiaries of approximately \$27,000,000 during the years 1953-54, will not require the issuance and sale of additional securities beyond 475,000 shares of common stock recently sold, pursuant to a rights offering to the stockholders of Middle South. It proposes to increase the authorized common stock, however, so that, if required, additional shares may be issued and sold at a later date upon the approval of this Commission.

Notice of the filing of said declaration having been given in the form and manner required by Rule U-23 promulgated pursuant to said act, the Commission not having received a request for a hearing within the time specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers to permit said declaration, as amended, to become effective forthwith:

*It is ordered*, Pursuant to Rule U-23 and the applicable provisions of the act that said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the



terms and conditions prescribed in Rule U-24.

By the Commission,

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 53-3896; Filed, May 4, 1953;  
8:48 a. m.]

[File No. 70-3046]

# NEW ENGLAND ELECTRIC SYSTEM

## NOTICE OF FILING REGARDING ISSUANCE AND SALE OF SHARES OF COMMON STOCK PUR- SUANT TO RIGHTS OFFERING

APRIL 29, 1953.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act") by New England Electric System ("NEES") a registered holding company. Declarant has designated sections 6, 7 and 12 of the act and Rules U-42 and U-50 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than May 26, 1953, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law, if any, raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after May 26, 1953, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration, which is on file in the office of this Commission, for a statement of the transactions therein proposed; which are summarized as follows:

NEES proposes to issue and sell 828,516 additional shares of its common stock of \$1 par value. The shares are to be offered to the common stockholders of NEES for subscription during a period of not less than fourteen nor more than seventeen days on the basis of one share for each 10 shares held on the record date, which will be the effective date of the registration statement filed with this Commission in connection with such issue and sale. The subscription price per share is to be determined by the company. The rights to subscribe are to be evidenced by subscription warrants. No fractional shares are to be issued. However, in lieu of rights for fractional shares, a stockholder will be entitled to subscribe for one additional share in excess of the whole number to which he would otherwise be entitled.

NEES proposes, if considered necessary or desirable, to stabilize the price of its common stock for the purpose of facilitating the offering and distribution

of the additional shares of common stock by the purchase of not in excess of 41,426 shares of its common stock.

The above described offering is to be underwritten and the company proposes to select the underwriters through competitive bidding pursuant to Rule U-50. At least 42 hours prior to the time for the submission and opening of bids, NEES will advise the prospective bidders of the subscription price per share. The underwriters will be required to purchase at the subscription price any unsubscribed shares and the stock, if any, acquired by the company through stabilizing operations and will be required to specify the aggregate amount of compensation for their commitments and obligations in this connection.

The net proceeds to be derived from the proposed sale of the additional shares of common stock will be added to the general funds of the company and applied in furtherance of the construction programs of its subsidiaries either through advances or the purchase of additional shares of their common stocks issued for the purpose of permanently financing construction expenditures. It is stated that if temporary short-term borrowings are required by NEES prior to the receipt of proceeds from the sale of the additional shares of common stock such short-term borrowings would be paid from the proceeds when received.

NEES has retained the services of The First Boston Corporation as financial adviser in connection with the proposed issue and sale of common stock and related matters, and the fee for such services is estimated at \$20,000 and the out-of-pocket expenses are estimated not to exceed \$3,500. Total expenses of the issuance and distribution of the additional shares of common stock are estimated at \$150,000 including \$20,000 for incidental services to be performed at cost by New England Power Service Company, an affiliated service company.

It is represented that no State commission, or any other Federal Commission has jurisdiction over the proposed transactions. Declarant requests that the Commission's order herein become effective upon issuance.

By the Commission,

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 53-3898; Filed, May 4, 1953;  
8:48 a. m.]

EARLE W. CORDER

## ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of Earle W. Corder, 500 Fifth Avenue, New York, New York.

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of April 1953.

I, The Commission's public official files disclose that Earle W. Corder, a sole proprietor, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,<sup>1</sup> stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1945 through 1952, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. It is ordered, That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 1st day of June 1953, at the main office of the Securities and Exchange Commission, located at 425 Second Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before May 25, 1953. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived:

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to June 1, 1953.

In the absence of an appropriate waiver, no officer or employee of the

<sup>1</sup> Filed as part of original document.

Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 53-3890; Filed, May 4, 1953;  
8:46 a. m.]

#### CONN-LEE ASSOCIATES

#### ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of James A. Conley, doing business as Conn-Lee Associates, 2005 Fifth Avenue, Troy, New York.

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of April 1953.

I. The Commission's public official files disclose that James A. Conley, doing business as Conn-Lee Associates, a sole proprietorship, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,<sup>1</sup> stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1946, 1947, 1948, 1949, 1950, 1951, and 1952, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public

interest or for the protection of investors to suspend the registration of registrant.

V. It is ordered, That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 1st day of June 1953, at the main office of the Securities and Exchange Commission, located at 425 Second Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before May 25, 1953. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived:

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to June 1, 1953.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 53-3891; Filed, May 4, 1953;  
8:46 a. m.]

#### RICHARD DAVISSON

#### ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of Richard Davison, 172-90 Highland Avenue, Jamaica, New York.

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of April 1953.

I. The Commission's public official files disclose that Richard Davison, a sole proprietor, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,<sup>2</sup> stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1943 through 1952, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. It is ordered, That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 1st day of June 1953, at the main office of the Securities and Exchange Commission, located at 425 Second Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before May 25, 1953. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to June 1, 1953.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceed-

<sup>1</sup> Filed as part of original document.

ing will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 53-3892; Filed, May 4, 1953;  
8:47 a. m.]

ELIZABETH B. FURMAN

ORDER FOR PROCEEDINGS AND NOTICE OF  
HEARING

In the matter of Elizabeth B. Furman, 507 Liberty Avenue, Pittsburgh 22, Pennsylvania.

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of April 1953.

I. The Commission's public official files disclose that Elizabeth B. Furman, a sole proprietor, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,<sup>1</sup> stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1951 or 1952, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. It is ordered, That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the

1st day of June 1953, at the main office of the Securities and Exchange Commission, located at 425 Second Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before May 25, 1953. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived:

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to June 1, 1953.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 53-3893; Filed, May 4, 1953;  
8:47 a. m.]

JOSEPH F. MEEHAN

ORDER FOR PROCEEDINGS AND NOTICE OF  
HEARING

In the matter of Joseph F. Meehan, 4530 Broadway New York, New York.

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of April 1953.

I. The Commission's public official files disclose that Joseph F. Meehan, a sole proprietor, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,<sup>1</sup> stating that registrant did not file with the Commission reports of his financial condi-

tion during the calendar years 1943 through 1952, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. It is ordered, That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 1st day of June 1953, at the main office of the Securities and Exchange Commission, located at 425 Second Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before May 25, 1953. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived:

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to June 1, 1953.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in

<sup>1</sup> Filed as part of original document.

proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 53-3894; Filed, May 4, 1953;  
8:47 a. m.]

## INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28037]

MIXED CARLOADS MERCHANDISE FROM EAST-  
ERN POINTS TO JACKSON, MISS., AND  
MIAMI AND ST. PETERSBURG, FLA.

APPLICATION FOR RELIEF

APRIL 30, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe, Agents, for carriers parties to schedule listed below.

Commodities involved: All commodities, mixed carloads.

Territory: From New York, N. Y., and points taking the same rates to Jackson, Miss., from New York, N. Y., and points taking the same rates and Philadelphia, Pa., to St. Petersburg, Fla., and from points in New England and trunkline territories to Miami, Fla.

Grounds for relief: Circuitous routes, additional destination, and additional routes.

Schedules filed containing proposed rates: C. W. Boin, Agent, I. C. C. No. A-980.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-3906; Filed, May 4, 1953;  
8:50 a. m.]

No. 86—3

[4th Sec. Application 28038]

POTASH FROM CARLSBAD AND LOVING,  
N. Mex., TO SOUTHWEST

APPLICATION FOR RELIEF

APRIL 30, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The Atchison, Topeka and Santa Fe Railway Company, for itself and on behalf of carriers parties to schedule listed below.

Commodities involved: Potassium (potash) carloads.

From: Carlsbad and Loving, N. Mex.  
To: Points in Arkansas, Louisiana, Missouri, and Texas.

Grounds for relief: Rail competition, circuitous routes, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: AT&SF Ry. tariff I. C. C. No. 14478, Supp. 66.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-3907; Filed, May 4, 1953;  
8:51 a. m.]

[4th Sec. Application 28039]

ANHYDROUS AMMONIA FROM BELLE, W. VA.,  
AND SOUTH POINT, OHIO TO POINTS IN  
MIDWEST

APPLICATION FOR RELIEF

APRIL 30, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to schedules listed below.

Commodities involved: Anhydrous ammonia, carloads.

From: South Point, Ohio, and Belle, W. Va., to Seneca, Ill., and Clinton, Iowa, and from South Point to North Chicago, Ill., and Kenosha, Wis.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: N&W Ry. tariff I. C. C. No. 9424, Supp. 49. NYC RR. tariff I. C. C. No. 1123, Supp. 171.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-3908; Filed, May 4, 1953;  
8:51 a. m.]

[4th Sec. Application 28040]

ANHYDROUS AMMONIA FROM SOUTH POINT,  
OHIO, TO JOLIET ARSENAL, ILL.

APPLICATION FOR RELIEF

APRIL 30, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to schedule listed below.

Commodities involved: Anhydrous ammonia, carloads.

From: South Point, Ohio.

To: Joliet Arsenal (Area No. 1) Ill.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: N&W Ry. tariff I. C. C. No. 9424, Supp. 49.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a

hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]                      GEORGE W LAIRD,  
   *Acting Secretary.*

[F. R. Doc. 53-3909; Filed, May 4, 1953;  
8:51 a. m.]

[4th Sec. Application 28041]

ALCOHOL AND RELATED ARTICLES FROM  
SOUTHWEST TO THE SOUTH  
APPLICATION FOR RELIEF

APRIL 30, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeier, Agent, for carriers parties to his tariff I. C. C. No. 3571.

Commodities involved: Alcohol and related articles, as described in the application, carloads.

From. Specified points in Arkansas, Kansas, Louisiana, Oklahoma, and Texas.

To: Points in southern territory, named in exhibit 1 of the application.

Grounds for relief: Rail and market competition, circuitry, grouping, operation through higher-rated territory and to apply rates constructed on the basis of the short line distance formula.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As pro-

vided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]                      GEORGE W LAIRD,  
   *Acting Secretary.*

[F. R. Doc. 53-3910; Filed, May 4, 1953;  
8:51 a. m.]